

REMARKS

Rejections Under 35 U.S.C. 102

The Office Action rejects claims 40-41, 45-46, 50-51, 56-57, 60-61, 69-70, 73, and 77 as being anticipated by U.S. Patent No. 4,979,206 of Padden.

Claim 1, as amended, recites a method of establishing a communications call that includes enabling an A party to select a B party from a database using an interactive device connected to a public network, where the public network comprises a messaging network, e.g., a packet-based network such as the Internet. The method further calls for utilizing the messaging network to access called address data for the B party from a public directory of the public network in response to selecting the B party. The called address data for the B party and calling address data for the A party are then sent to a connection module of the public network; and a call is established between the A and B parties over the public network using the connection module and the called and calling address data.

Padden is generally directed to a system for automatically obtaining directory assistance, which connects a customer requesting directory assistance to an automatic speech recognition unit (ASRU), and prompts the customer to identify a requested directory number. The ASRU converts the customer's speech signals to data signals for searching a directory. If the search identifies the desired number, it is sent to the customer, and the customer is prompted to indicate whether a call to the identified number should be made. More specifically, the system includes a voice processing unit (VPU) that receives a customer's speech or keyed data, via a voice and data switching network, and processes the received information, e.g., by utilizing speech recognition techniques, to generate data corresponding to the customer's request. The VPU sends the data to a control unit that, in turn, transmits the data to a directory assistance system computer (DAS/C) that comprises a searchable database. The DAS/C conducts a search of that database for the requested listing. Further, the DAS/C sends the listing, if found in the database, to an audio response unit that, in turn, announces the listing, via the voice and data switching network, to the customer.

The Padden system, however, does not utilize a messaging network, e.g., a packet-based network such as the internet, to access the requested directory number from a public directory. In fact, in the Padden system, a conventional data link (i.e., data link 59 shown in FIGURE 1 of Padden) connects the control unit to the searchable database from which the requested number is retrieved. Further, there is no indication in Padden that its voice and data switching network is a messaging network (a packet-based network). Rather, Padden simply describes this switching network as being capable of switching voice and/or data between its inputs. Accordingly, Padden fails to teach at least one salient feature of claim 40, namely, utilizing a messaging network to access called address data of a party from a public directory. Padden also requires the accessed number or called address data to be sent to the caller for confirmation. The present invention, however, only requires the caller (ie the A party) to select the B party, and the public network is able to access the called address data itself and establish the call.

Hence, claim 40 distinguishes patentably over Padden.

The above reasoning applies with equal force to establish that independent claims 41, 45 and 46 also distinguish patentably over Padden. In particular, all of these claims recite that the called address data of the B party is accessed in a public directory by utilizing a *messaging network* and the call can then be established – a feature not taught by Padden.

Independent claim 50 recites an interface of an interactive device for originating a communications call, which includes a display controller for causing display of at least one B party from a database and a selector for enabling an A party to select a B party on the display. The interface further includes a link, which on being activated, sends selected party data corresponding to the B party to a public network, whereby the public network accesses called address data of said B party in a public directory via a *messaging network* on the basis of the selected party data and forwards the called address data to a connection module of the public network to establish a call with said the party.

The Padden system does not include an interface or display as recited in claim 50. More specifically, the passage at col. 5, lines 14-18 of Padden to which the Examiner refers indicates that the DAS/C computer displays information on its terminal to an operator in response to information keyed by the operator into the DAS/C computer based on oral communications between the operator and a user of the directory service. As such, the terminal of DAS/C does not display information to a user of the directory service (A party). Further, there is no indication that the terminal of the DAS/C computer provides a selector that would allow selecting a party listed in a database. Further, if one assumes that the operator in the Padden system corresponds to the A party, as the Examiner does, the Padden system does not establish a call between the operator and a party whose called address data has been retrieved from the searchable database. Moreover, whereas claim 50 recites that the called address data of the B party is accessed in a public directory via *a messaging network*, the Padden system employs conventional data links to retrieve the a directory listing from its searchable database.

Hence, claim 50 distinguishes patentably over Padden.

Similar reasoning applies to establish that independent claims 56, 57 are also patentable over Padden. For example, similar to claim 50, these claims recite utilizing a messaging network to access the called address data of a party – a feature not taught by Padden.

Independent claim 60 recites a system for use in establishing a communications call that includes a public directory accessible *via a messaging network* including called address data for parties connected to at least one public network. The system further comprises an access module for transmitting the called address data for display on an interactive device to an A party, and for utilizing the messaging network to receive selected party data from the interactive device to enable the A party to select a B party. Further, the system includes a controller for receiving the selected party data, including called address data for the selected B party, and calling address data corresponding to the A party and generating, in response thereto, network control signals to cause said at least one public network to establish a call between said A party and said B party over said network.

Padden fails to teach all of the features of claim 60. In particular, the searchable database in the Padden system is not accessible to the control unit via a messaging network. Further, the Padden system does not include a display such as that recited in claim 60. In particular, as discussed above, the display in the Padden system does not present called address data to a party (e.g., a customer of the directory assistance service) between whom and another party a connection is established.

Similar arguments apply to establish that independent claim 61 also distinguishes over the cited art.

Independent claim 69 recites a directory server for use in establishing a communications call on at least one public network, which includes a directory database module for accessing public directory data, including communications address data, of parties connected to at least one public network. The directory server further includes a call connection module for transmission of the public directory data to an interactive device of a user connected to a public network that comprises a messaging network and for accessing via the directory database module by utilizing said messaging network, for said interactive device, in response to a request of said public user directory data of a B party. A call completion module receives selected party data for the B party of the call from the interactive device and transmits a connect message to a communication module of the public network for establishing the call, where the connect message includes communications address data for said B party obtained using said directory database module.

Again, unlike the system of Padden, claim 69 recites that the connection module of the directory server accesses the public directory data by *utilizing a messaging network*. Hence, claim 69 distinguishes patentably over Padden. Further, similar reasoning applies to establish that claim 70 is also patentable over the cited art.

Claim 73 recites a method of establishing a call between parties, including:

utilizing an interactive device connected to a public network comprising a messaging network to allow an A party to select a B party. The method further calls for generating a first message in response to selection by the A party of a displayed element on the interactive device, said first message including identification of the B party. A second message is then generated in response to the first message, where the second message includes communication addresses determined on the basis of said identification data by accessing a public directory via said messaging network. A call is then established between the A party and the B party using the communication addresses.

Whereas claim 73 recites that communication addresses are determined by accessing a public directory via a messaging network, there is no indication in Padden that its control unit accesses its searchable database via a messaging network. On the contrary, in the Padden system, a direct data link connects the control unit to the searchable database.

Hence, claim 73 is patentable over Padden.

Further, the above reasoning applies to establish that independent claim 77 is also patentable over the cited art.

In Paragraph 4 of the Office Action, claims 60, 62, 64, 65, 66, 67 and 68 are rejected as being anticipated by U.S. Patent No. 5,884,032 of Bateman.

Bateman discloses a call center that allows a customer to utilize equipment present on its premises (e.g., a computer and a telephone) to submit a help call request to the center, and to receive, in response, a call back from an agent working at the call center.

In contrast to claim 60, in Bateman system, a customer (A party) is not enabled to select a particular agent (a B party). Rather, the customer submits a help request to the call center, and it is the call center that assigns an agent to respond to the customer's request. Moreover, in the Bateman system, the called address data of the agent is not displayed to the customer on an interactive device.

As Bateman does not teach all of the features of claim 60, it does not anticipate that claim, or any of the claims 62, 64, 65, 66, 67 and 68 that depend on claim 60.

Rejections Under 35 U.S.C. 103

The Office Action rejects claims 40, 41, 42/40, 42/41, 43-46, 47/40, 47/41, 47/45, 47/46, 48-52, 53/50, 53/51, 53/52, 54-58, 59/56, 59/57, 60-61, 62/60, 62/61, 63, 64/60, 64/61, 65/60, 66/61, 67/60, 67/61, 68-71, 72/69, 72/70, 73-78, 88/40, 88/41, 88/46, 88/73, 89/40, 89/41, 89/45, 89/46, and 89/73 as being obvious over the combined teachings of Bateman and Padden.

As an initial matter, contrary to the Examiner's contention, in Bateman's system a customer does not select a particular agent from a database. Rather, the customer submits an HTML form to the call center in which the customer's calling information is provided. An outbound dialing system of the call center then establishes a call between an agent of the call center and the customer. The outbound dialing system does not, however, look up the customer's calling data in a public directory by utilizing a messaging network, but rather utilizes the calling information provided by the customer itself. Further, Padden does not cure the shortcomings of Bateman in that it fails to teach utilizing a messaging network to access the called address data for a party (B party) in response to selection of that party by another party (A party).

Accordingly, the combined teachings of Bateman and Padden fail to teach or suggest the salient features of claim 40.

Similar reasoning applies to establish that independent claim 41 also distinguishes over the combined teachings of Bateman and Padden. In particular, this claim, similar to claim 40, recites enabling an A party to select a B party from a database, and employing a messaging network to search for the called address data for the B party. Further, claims 42-44 depend on claim 40 and/or claim 41, and hence are also patentable.

With regard to independent claim 45, neither reference teaches utilizing a messaging network to obtain the called address data of a party, selected by another party, from a public directory of a public network. Hence, claim 45 distinguishes patentably over the combined teachings of the cited references.

Moreover, similar arguments apply equally to establish that method claims 46-49 are also patentable over the cited art.

With regard to claim 50, neither Bateman nor Padden provides “a display controller for causing display of at least one B party from a database to an A party,” as recited in that claim. Nor do Bateman and Padden provide a “selector for enabling an A party to select a B party on said display.” More specifically, as noted above, in Bateman, a customer is simply presented with an HTML form to fill out, and not a list of agents from which to choose an agent. Further, in Padden, a user provides the name of a party for whom a directory listing is desired, rather than selecting that party from a display. Moreover, neither Bateman nor Padden teaches accessing called address data of a party in a public directory via a messaging network.

Hence, claim 50 distinguishes patentably over the cited art.

Similar reasoning applies to establish that independent claims 51 is also patentable over combined teachings of Bateman and Padden. Further, claims 52-55, through their dependence of claims 50 and/or 51, are also patentable.

Independent claim 56 recites an interface stored on an interactive device connected to a public network, which includes code for generating a display on an interactive device of B party data and code allowing an A party to select a B party from the B party data. The interface further includes code for transmitting to the public network selected party data corresponding to the selected B party and A party data, whereby the public network accesses called addressed data for the B party in a public directory by utilizing a messaging network on the basis of the selected party data and establishes a call between the A party and the B party by using the A party data and the called address data.

Neither Bateman nor Padden discloses the interface of claim 56. As discussed above, neither reference provides a display on an interactive device that allows a party to select another

party from displayed data. And neither reference utilizes a messaging network to access called address data of a party in a public network.

Hence, independent claim 56 is patentable over the combined teachings of Bateman and Padden. Similar arguments apply with equal force to establish that claim 57 is also patentable over the cited art. Further, claims 58 and 59, which depend on claim 56 and/or 57, are also patentable.

Independent claim 60 recites a system for use in establishing a communications call, which comprises a public directory accessible via a messaging network including called address data for parties connected to at least one public network, and an access module for transmitting the called address data for display on an interactive device to an A party and for utilizing the messaging network to receive selected party data from said interactive device to enable the A party to select a B party. The system further includes a controller for receiving the selected party data, including called address data for the selected B party, and calling address data corresponding to the A party and generating, in response thereto, network control signals to cause the public network to establish a call between the A party and the B party over the network.

Neither Bateman nor Padden includes a public directory that is accessible via a messaging network. In particular, in Padden, a conventional data link connects the control unit to the searchable database. And in Bateman, the HOTLIST containing the telephone numbers of customers to be called is not a public directory, nor is accessible via a messaging network.

Hence, claim 60 distinguishes patentably over the combined teachings of Bateman and Padden.

Similar reasoning applies to establish that independent claim 61 is also patentable over the cited art. Further, claims 62-68 depend on claim 60 and/or 61, and hence are also patentable.

With respect to claim 69, neither Padden nor Bateman discloses a directory database module for accessing public directory data via a messaging network, as recited in that claim. With respect

to claim 70, neither Padden nor Bateman discloses an interactive device that enables a user to obtain party data for an A party and a B party from a public directory by utilizing a messaging network. Hence, claims 69 and 70, as well as claims 71 and 72 that depend on claim 69 and/or 70, are patentable over the cited art.

Independent claim 73 recites a method of establishing a call between parties by utilizing an interactive device connected to a public network comprising a messaging network to allow an A party to select a B party. A first message is then generated in response to selection by the A party of a displayed element on the interactive device, where the message includes identification of the B party. A second message is then generated in response to the first message, where the second message includes communication addresses determined on the basis of the identification data by *accessing a public directory via the messaging network*. A call is then established between the A party and the B party using the communication addresses.

Again, neither Bateman nor Padden teaches obtaining communication addresses of a party by accessing a public directory via a messaging network. In contrast, claim 73 recites that the second message include communication addresses determined by accessing a public directory via a messaging network. Hence, claim 73, and claims 74-76 that depend on claim 73, are patentable.

The arguments presented above apply to establish that independent claims 77, 79, and claims dependent on these claims, distinguish patentably over the cited art. For example, claim 79 recites utilizing the Internet to access a public directory on a messaging network to obtain data identifying terminal of at least one party of a call – a feature not taught by Padden or Bateman.

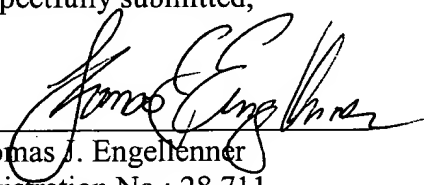
CONCLUSION

In view of the above amendments and remarks, Applicants respectfully request reconsideration and allowance of the application. The Examiner is invited to call the undersigned at (617) 439-2514 if there are any questions.

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